



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/019,619	12/20/2001	Wilhelm Kohler	KOHLER AT1 PCT	6429
25889	7590	12/01/2003	EXAMINER	
WILLIAM COLLARD COLLARD & ROE, P.C. 1077 NORTHERN BOULEVARD ROSLYN, NY 11576			GREENE, JASON M	
			ART UNIT	PAPER NUMBER
			1724	

DATE MAILED: 12/01/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/019,619

Applicant(s)

KOHLER ET AL.

Examiner

Jason M. Greene

Art Unit

1724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 September 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 12-21 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 December 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

Response to Arguments

1. Applicant's arguments, see page 11, lines 6-20, filed 02 September 2003, with respect to new claims 20 and 21 and the 35 U.S.C. 112, second paragraph rejection of claim 11 in the previous action have been fully considered and are persuasive. New claims 20 and 21 are in compliance with 35 U.S.C. 112, second paragraph.

Claims

2. On a general note, the transmittal quality of the response submitted by facsimile on 02 September 2003 is very poor. Specifically, several of the claims and the replacement abstract have portions of obscured and illegible text. While the Examiner was able to discern the intended claim language to an extent necessary for examination, the claims are replete with minor errors owing to the poor transmission quality. For example, in claims 13 and 15, it appears as though Applicants may have intended to delete the phrase "characterized in that" by strikethrough. However, only the "characterized" portion of the phrase was reproduced with strikethrough and the "in that" portion of the text still appears as part of the claim language. Since the "in that" portion

still appears as clean text, it is not clear whether or not Applicants intended to delete the phrase from the claim language. Accordingly, if the "in that" portion of the phrase was not intended to be deleted, the Examiner suggests Applicants delete the phrase to improve the clarity of the claim language. If Applicants did intend to delete the phrase, the Examiner suggests Applicants resubmit the amendment.

Allowable Subject Matter

3. Claims 12-21 are allowed.
4. The following is a statement of reasons for the indication of allowable subject matter:

European Patent Application EP 0 498 757 A1 teaches a ring filter having two ends comprising a star-shaped folded filtering material (1), a radially permeable tubular frame (3) having two ends, and which extends approximately over an entire axial length of said ring filter adjoining said filtering material radially on an inside surface, a closure coupled to one end of said radially permeable tubular frame, said closure comprising a plate shaped insert (4) and a molded closure section (2) coupled to said plate shaped insert and extending radially outside said plate shaped insert in Figs. 1-4.

Brown et al. discloses a ring filter having two ends comprising a star-shaped folded filtering material (35), a radially permeable tubular frame (33) having two ends, and which extends approximately over an entire axial length of said ring filter adjoining said filtering material radially on an inside surface, a closure coupled to one end of said radially permeable tubular frame, said closure comprising a plate shaped insert (67) coupled to said radially permeable tubular frame and a molded closure section (65) coupled to said plate shaped insert and extending radially outside said plate shaped insert and formed from a foamed plastic (plastisol), wherein said plate shaped insert is made from a different material in Figs. 1, 7, and 8 and col. 3, line 41 to col. 6, line 10.

Patel et al. discloses a ring filter having two ends comprising a filtering material (18), a radially permeable tubular frame (12) having two ends, and which extends approximately over an entire axial length of said ring filter adjoining said filtering material radially on an inside surface, a closure coupled to one end of said radially permeable tubular frame, said closure comprising a plate shaped insert (36) and a molded closure section (24) coupled to said plate shaped insert and extending radially outside said plate shaped insert, wherein said plate shaped insert is made from a different material than the molded closure section in Figs. 1-5 and col. 2, line 47 to col. 3, line 22

The prior art made of record does not teach or fairly suggest the ring filters of claims 20 or 21 wherein the plate shaped insert and the tubular frame are coupled

together, wherein a ring shoulder is formed on said tubular frame opposite said frame, wherein said ring shoulder joins a closed end of said filtering material of said ring filter, and wherein said molded closure section is formed from a foamed plastic.

Conclusion

5. This application is in condition for allowance except for the above noted formal matters:

6. Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason M. Greene whose telephone number is (703) 308-6240. The examiner can normally be reached on Tuesday - Friday (7:00 AM to 5:30 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Blaine Copenheaver can be reached on (703) 308-1261. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9310.

Application/Control Number: 10/019,619
Art Unit: 1724

Page 6

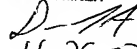
Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0661.

Jason M. Greene
Examiner
Art Unit 1724



jmg
November 25, 2003

DUANE SMITH
PRIMARY EXAMINER


11-25-03